

15W 3762

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Katzman et al. |
| Serial No.: | 10/549,488 |
| Filed: | September 15, 2005 |
| Entitled: | Modafinil-Based Neurorehabilitation of Impaired Neurological Function Associated with Brain Injury |

Attorney Docket No.: NEU-102.1P US

Art Unit: 3762

Examiner: (not yet assigned)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

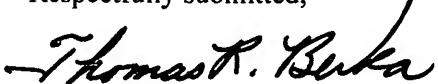
Transmitted herewith are: an Information Disclosure Statement (IDS) under 37 CFR §§ 1.56, 1.97 and 1.98 (3 pages); Form PTO-1449 Information Disclosure Statement (1 page); photocopies of the disclosed documents, to be filed in the above-identified patent application; and a return receipt post card.

PAYMENT OF FEES

A check in the amount of \$_____ (check no. _____) in payment of the fee for submission of an information disclosure statement transmitted herewith.

The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §§ 1.16 or 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



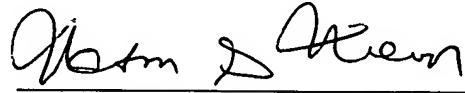
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CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence and accompanying documents are being deposited with the U.S. Postal Service as First Class Mail, postage prepaid, in an envelope addressed to **Mail Stop AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

September 21, 2006

Date



Nasim G. Memon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

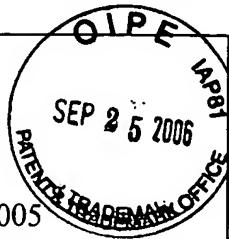
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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in the above-identified patent application for consideration by the Patent Office.

A modified Form PTO-1449 listing the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents. This Statement is being submitted before the first Office Action on the merits pursuant to 37 C.F.R. § 1.97(b)(3). Accordingly, no fee is required with this submission.

U.S. Patent Documents

U.S. Patent No. 4,177,290 issued December 4, 1979, Lafon;

U.S. Patent No. 4,927,855 issued May 22, 1990, Lafon;

U.S. Patent No. 5,612,379 issued March 18, 1997, Laurent;

U.S. Patent No. US RE37,516 E issued January 15, 2002, Grebow et al.;

U.S. Patent No. US 6,463,328 B1 issued October 8, 2002, John;

U.S. Patent No. US 6,489,363 B2 issued December 3, 2002, Jacobs et al.;
U.S. Pub. No. US 2002/0098240 A1 published July 25, 2002, Jacobs et al.;
U.S. Pub. No. US 2003/0022940 A1 published January 30, 2003, Corvari et al.;
U.S. Pub. No. US 2003/0125391 A1 published July 3, 2003, Jacobs et al.;
U.S. Pub. No. US 2004/0048931 A1 published March 11, 2004, Heacock et al.;
U.S. Pub. No. US 2004/0105891 A1 published June 3, 2004, Bentolila et al.; and
U.S. Pub. No. US 2004/0116532 A1 published June 17, 2004, Heacock et al.

Other Documents

Bastuji et al., *Prog. Neuro-Psychopharmacol. & Biol. Psychiat.*, 12: 695-700 (1988)
Cass et al., *Journal of Pharmaceutical and Biomedical Analysis*, 26: 123-130 (2001);
Donovan et al., *Therapeutic Drug Monitoring*, 25: 197-202 (2003);
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Rappaport et al., *Arch. Phys. Med. Rehabil.*, 63: 118-123 (1982);
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Walker et al., *Neuron*, 44: 121-133 (2004);
Wisor et al., *The Journal of Neuroscience*, 21: 1787-1794 (2001);
Wong et al., *Journal of Clinical Pharmacology*, 39: 30-40 (1999); and
Wong et al., *Journal of Clinical Pharmacology*, 39: 281-288 (1999).

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application and that the documents be printed on any patent issuing from this application.

Respectfully submitted,

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CERTIFICATE OF MAILING

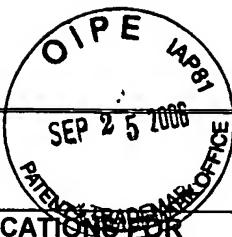
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September 21, 2006

Date

Nasim G. Memon

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| Modified FORM PTO-1449 <i>SEP 25 2008</i> <i>PATENT & TRADEMARK OFFICE</i> | ATTY. DOCKET NO. NEU-102.1P US | SERIAL NO. 10/549,488 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | APPLICANT KATZMAN et al. | |
| | FILING DATE September 15, 2002 | GROUP not yet assigned |

REFERENCE DESIGNATIONS

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | | | | | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|--|--|----------------------|---------|--|------------------|------|------|-------|----------|----------------------------|
| | AA | | | U.S. 4,177,290 | 12/4/79 | | Lafon | | | | | 3/9/1978 |
| | AB | | | U.S. 4,927,855 | 5/22/90 | | Lafon | | | | | 1/28/1987 |
| | AC | | | U.S. 5,612,379 | 3/18/97 | | Laurent | | | | | 4/30/1996 |
| | AD | | | U.S. RE37,516 E. | 1/15/02 | | Grebow et al. | | | | | 4/1/1999 |
| | AE | | | U.S. 6,463,328 B1 | 10/8/02 | | John | | | | | 1/10/2000 |
| | AF | | | U.S. 6,489,363 B2 | 12/3/02 | | Jacobs et al. | | | | | 10/10/2001 |
| | AG | | | U.S. 2002/0098240 A1 | 7/25/02 | | Jacobs et al. | | | | | 10/11/2001 |
| | AH | | | U.S. 2003/0022940 A1 | 1/30/03 | | Corvari et al. | | | | | 5/23/2002 |
| | AI | | | U.S. 2003/0125391 A1 | 7/3/03 | | Jacobs et al. | | | | | 11/1/2002 |
| | AJ | | | U.S. 2004/0048931 A1 | 3/11/04 | | Heacock et al. | | | | | 7/10/2003 |
| | AK | | | U.S. 2004/0105891 A1 | 6/3/04 | | Bentolila et al. | | | | | 11/24/2003 |
| | AL | | | U.S. 2004/0116532 A1 | 6/17/04 | | Heacock et al. | | | | | 9/11/2003 |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | TRANSLATION YES | NO |
|--|----|-----------------|------|------|-------|----------|--------------------|----|
| | BA | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | CA | Bastuji et al., <i>Prog. Neuro-Psychopharmacol. & Biol. Psychiat.</i> , 12:695-700 (1988) |
| | CB | Cass et al., <i>Journal of Pharmaceutical and Biomedical Analysis</i> , 26:123-130 (2001) |
| | CC | Donovan et al., <i>Therapeutic Drug Monitoring</i> , 25:197-202 (2003) |
| | CD | Duteil et al., <i>European Journal of Pharmacology</i> , 180:49-58 (1990) |
| | CE | In et al., <i>Chem. Pharm. Bull.</i> , 52:1186-1189 (2004) |
| | CF | Physician's Desk Reference, 58th ed. (Thomson PDR, Montvale, NJ) pages 1160-1163 (2004) |
| | CG | Rappaport et al., <i>Arch. Phys. Med. Rehabil.</i> , 63:118-123 (1982) |
| | CH | Saletu et al., <i>Int. J. Clin. Pharm. Res.</i> , 9:183-195 (1989) |
| | CI | Walker et al., <i>Neuron</i> , 44:121-133 (2004) |
| | CJ | Wisor et al., <i>The Journal of Neuroscience</i> , 21:1787-1794 (2001) |
| | CK | Wong et al., <i>Journal of Clinical Pharmacology</i> , 39:30-40 (1999) |
| | CL | Wong et al., <i>Journal of Clinical Pharmacology</i> , 39:281-288 (1999) |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

sheet 1 of 1